

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
ORIGINAL
FILED

MAR 11 2011

BARBARA JEANNE ALTEMEIER,

PLAINTIFF,

v.

DALLAS COUNTY, TEXAS (1);
CITY OF DALLAS, TEXAS (2);
MUSKEGON COUNTY, MICHIGAN (3);
FRUITPORT TOWNSHIP, MICHIGAN
(4);

JAMES SCHULTZ (5);
TONY TAGUE (6);
DALE J. HILSON (7);
LOUIS CANALES (8);
RONALD M. HUBNER (9);
DANIEL DOWNS (10);
RONALD ANDERSON (11);
LUPE VALDEZ (12);
PARKLAND HEALTH & HOSPITAL
SYSTEM AUXILIARY/AKA
PARKLAND MEMORIAL
HOSPITAL (13); and
John or Jane Does (14-23),

DEFENDANTS.

No. 3:10-CV-02646-N (BK) CLERK, U.S. DISTRICT COURT

HON. DAVID C. GOBEY

MAG. RENEE HARRIS TOLIVER

By

Deputy

4:42 pm

PLAINTIFF'S RESPONSE TO
DEFENDANTS, FRUITPORT
TOWNSHIP AND JAMES
SCHULTZ'S, MOTION TO DISMISS
PERSUANT TO FED. R. CIV. P.
12(B)6 AND 12(c)

APPENDIX TO
PLAINTIFF'S RESPONSES TO DEFENDANTS MOTIONS TO DISMISS
PERSUANT TO F.R.C.P. 12(B)6

I. Index to Appendix

A. Evidence that Fruitport Township (4) James Schultz (5) asked City of Dallas (2) Officers Louis Canales (8) and Ronald M. Hubner (9) to perform a "warrantless arrest" of Plaintiff, and they complied:

3.

B. Evidence of the Perjury of Fruitport Township (4) James Schultz (4) and Dale Hilson (7):

7.

Affidavits and reports of Fruitport Township (4) James Schultz (5):

9.

Evidence Relating to Uncompleted Wire Transfer Through Banker's Bank of the West:

14.

Affidavit of Muskegon County (3) Dale Hilson (7):

20.

C. Muskegon Chronicle newspaper article quoting Muskegon County (3) Prosecutor Tony Tague (6) and Fruitport Township (4) James Schultz (5):

22.

D. Letters from Michigan Attorney Chris Yates to Muskegon County Senior Assistant Prosecutor Dale J. Hilson (7):

26.

E. Evidence of Plaintiff's deprivation of food and water in the Dallas County (1) Jail:

31.

F. Evidence related to Plaintiff's incarceration in the Dallas County Jail (1) demonstrating that Plaintiff was held beyond the date Ordered:

36.

Verification

40.

Certificate of Service

40.

II. Evidence

A. Evidence that Fruitport Township (4) James Schultz (5) asked City of Dallas (2) Officers Louis Canales (8) and Ronald M. Hubner (9) to perform a “warrantless arrest” of Plaintiff, as referred to in the First Amended Complaint (pages 5 lines 3-7, 13-25, page 7 lines 8-10).

1. Fruitport Township (4) James Schultz (5) Police Report dated September 13, 2006 for incident 2006-004326-I page 36, reporting on 10-17-06 in paragraph 4:

“I advised Ofc. Canales that I would like them to make a warrantless arrest on Barbara Altemeier for her part in the embezzlements. Ofc Canales then took Barbara into physical custody and I advised them that I would contact the Muskegon Co. Pros. Office and obtain a warrant.”

2. City of Dallas (2) Police Department Arrest Report 06-0058323, printed 03/30/10; warrant number—**no warrant number**.
3. Dallas County (1) Jail Booking Sheet 06085892—**no warrant number**.

Continued

FRUITPORT POLICE DEPARTMENT

2006-004326-I

Incident No	Date & Time Rept	Offense: 99003
2006-004326-I	09/13/2006 20:01	MISSING PERSONS

S of the forms and he stated that he would continue to tell Barbara
 U that he was having trouble with his fax machine. Sisson again
 P stated that he thought it was odd that Barbara was calling making
 P the transfer requests on Alan and Leland's Davis's accounts.

L
E
M
E
N
T

ARRESTS BY DALLAS P.D.:

On 10-17-06 at 1448hrs, I received a cell phone call from Ofc. Bartek of the Richardson P.D in Texas. I was advised that Dallas Police Department officers had Alan Davis in custody and were detaining Barbara Altemeier at the pharmacy. I was further advised that Barbara and Alan Davis had driven to the pharmacy in a blue Blazer matching the description of Alan Davis's vehicle. I was further advised by Ofc. Bartek that while Alan Davis was in custody, he made the admissions that he and Barbara had "power of attorney" over Leland Davis. Ofc. Bartek advised that she would help investigate the scene and then call me back with more information as there was a lot going on.

CONTACT WITH OFC. LOUIS CANALES-DALLAS P.D.:

On 10-17-06 at 1505hrs, I received a cellular phone call from Dallas P.D. officer Louis Canales. Ofc. Canales confirmed to me that they had Alan Davis in custody and had found Leland Davis in a nearby hotel room. Ofc. Canales advised that Leland Davis was alive in the hotel room, and he had an opportunity to talk to him briefly. Ofc. Canales advised that Leland Davis told him that he felt as though he had been taken advantage of by Barbara Altemeier. In further observations, Ofc. Canales stated that Leland Davis had bruising around his ankles and legs. I was then advised that Leland Davis seemed "out of it" and spoke very little. Ofc. Canales did state that Leland Davis advised him that he wasn't allowed to contact anyone, but was made to go and see a doctor he didn't want too.

At that point, Ofc. Canales wanted to know about the status of Barbara Altemeier. At 1518hrs, I was advised that she was not arrested and based upon the statements that I had just received from Ofc. Canales and Ofc. Bartek, I advised them that I wanted her arrested. I advised Ofc. Canales that I would like them to make a warrantless arrest on Barbara Altemeier for her part in the embezzlements. Ofc. Canales then took Barbara into physical custody and I advised them that I would contact the Muskegon Co. Pros. Office and obtain a warrant. Ofc. Canales further stated that he would call me back shortly after taking care of the arrest.

FURTHER INVESTIGATION:

On 10-17-06 at approximately 1537hrs, I received another phone call

rpt_rev.c 1.41

Date Printed: 10/24/2006

Page 36

 03/30/10 1457 DALLAS POLICE DEPARTMENT PAGE 1

ARREST REPORT 06-0058323

***** ARRESTED PERSON *****
 ARRESTED PERSON(L,F,M):ALTEMEIER,BARBRA.J HOME ZIP CODE: 92844
 ADR-HOME:13861 YOCKEY APT: CITY:GARDENGR STATE:CA BT:OV
 ADR-ARST:08200 ABRAMSRD A: CTY:DALLAS ST:TX BT:253
 RACE:W SEX:F HT:506 WT:145 HAIR:BLON EYES:BLUE LOC:LS

***** CHARGES *****
 ARST OFCR 1:5409 CANALES ELEM: ARREST DATE:101706 TIME:1500
 ARST OFCR 2:8737 HUBNER, RONALD M 3:
 DISPOSITION:*** ARRESTEE RELEASED 10/17/06 AT 1944 BY 3137 ***
 DIV CHG TYPE DESCRIPTION CLS UCR PEN CD SERVICE # RCDE
 01 V HOLD I 01MICHIGAN 1@NO BOND 45 TRCO

***** ARRESTED PERSON INFORMATION *****
 IDENT #: PLACE OF BIRTH: NICKNAME:
 DESCRIBE ARREST PREMISES: OFFENSE PREMISES:
 SOC SEC#: FPC HENRY: FBI:
 ARREST HOW: SOBER: DRINKING: RESIST ARREST:
 DRUG USER: TYPE: WEAPON TYPE: ARMED:
 ALIAS NAME 1 (L,F,M):
 ALIAS NAME 2 (L,F,M):
 EMPLOYER: JOB/SCHOOL STAT: OCCUPATION:
 PH-BUS: HOME: DL#: ST: TYPE:
 ***** VEHICLE & PROPERTY INFORMATION *****
 VEHICLE: LOC: PROP: LOC: TAG#:
 TRANSPORT OFCR: BKNG OFCR: SEARCHING OFCR:
 CONDITION: MED TREATMENT: LOCATION:
 COMMENTS: TRANSFER FROM: BEAT:
 ***** NOTIFICATION INFORMATION *****
 DSON: FBI#: DPS#: RGN#: NCIC#: ACCOMPLICE ARST INF:HOLD FOR: BY:
 ***** RIGHT THUMB PRINT
 SCARS: MISSING BODY PARTS:
 OTHER FEATURES:
 MOUSTACHE/TATTOOS:

*** END OF REPORT ***

White

ALTEMEIER, BARBARA

REV. 8/02

B. Evidence of the Perjury of Fruitport Township (4) James Schultz (4) and Dale Hilson (7):

Affidavits and reports of Fruitport Township (4) James Schultz (5):

1. Affidavit of Fruitport Township (4) James Schultz (5) dated October 24, 2006 styled "The People of the State of Michigan, Plaintiff, v. Barbara J. Altemeier, Defendant", File No. 06-81844-FY; marked "State's Exhibit #4 10/25/6", showing his perjurous statement:

"... in an attempt to transfer money from an account in Leland's name to a separate account setup at a bank not authorized, consented to, ... by Leland."

2. Fruitport Township (4) James Schultz (5) Police Report for incident 2006-004326-I of September 13, 2006, printed 10/24/2006, pages 25, 26.

Evidence Relating to Uncompleted Wire Transfer Through Banker's Bank of the West:

3. Form for uncompleted "Wire Transfer Request."

4. Wire Transfer Instructions into First State Bank, dated March 11, 2010. Secure email from Michelle Struble, Assistant Vice President, First State Bank-Guernsey, showing proof of the accuracy in B3 of the uncompleted wire transfer request form.

5. Wikipedia entry for "Bankers' Bank" demonstrating that they "may provide services only to community banks".

6. Web page for Service 1 Federal Credit Union Neosho, MO branch, www.service1fcu.com/neosho.php.

7. Web page for First State Bank, Wheatland, WY, www.fsbwy.com/2723/mirror/a_locations.htm.

8. Fruitport Township (4) James Schultz (5) Police Report for incident 2006-004326-I of September 13, 2006, printed 10/24/2006, page 30.

Affidavit of Muskegon County (3) Dale Hilson (7):

9. Affidavit of Muskegon County (3) Senior Assistant Prosecutor Dale J. Hilson (7) dated October 24, 2006 styled "The People of the State of Michigan, v. Barbara J. Altemeier, Defendant", titled "Request to Maintain Bond at \$100,000", File No. 06-81844-FY; marked "State's Exhibit #4 10/25/6".

**STATE OF MICHIGAN
IN THE 14TH CIRCUIT COURT OF MUSKEGON COUNTY**

**THE PEOPLE OF THE
STATE OF MICHIGAN,
Plaintiff,**

FILE NO. 06-81844-FY

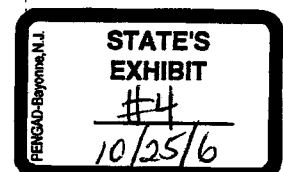
v

**BARBARA J. ALTEMEIER,
Defendant.**

AFFIDAVIT

NOW COMES DET. JAMES SCHULTZ, being first sworn and deposed, and hereby states as follows:

1. I am a detective for the Fruitport Township Police Department, currently investigating the kidnaping and abuse of Leland Davis.
2. I have spoken with Leland and have been told by him the following: Leland is not related by blood or marriage to Barbara Altemeier; Leland has never accepted Ms. Altemeier as a friend or an acquaintance; On or about 9/12/06 Leland was taken from his home by Barbara Altemeier and driven to Battle Creek, Michigan; on 9/13/06, while in Battle Creek, Leland was forced to sign, by Ms. Altemeier, a new last will and testament regarding his assets, estate, and trust, assigning all his assets to Alan Davis (See Exhibit A); Leland did not wish to have all his assets transferred to Alan, cutting other family and friends from his will; Leland is in the process of having a legitimate will and trust drafted within the next couple of days, voiding the one signed in Battle Creek; Alan Davis is the longtime boyfriend of Ms. Altemeier; on 9/13/06, Leland was than driven by Ms. Altemeier, against his will, from Battle Creek to Neosho, Missouri, where Ms. Altemeier forced Leland into a credit union in an attempt to transfer money from an account in Leland's name to a separate account setup at a bank not authorized, consented to, or recognized by Leland (See Exhibit B); Leland refused to




sign the transfer and after the attempt to transfer the money was stopped by Leland's bank in Michigan, Leland was then transported to Texas against his will by Ms. Altemeier, where he remained in her custody; while being held against his will, Leland was never allowed to use the telephone to make calls that Leland wished to make; Leland was only allowed to eat what Ms. Altemeier gave to him and Leland was given unknown medications by Ms. Altemeier in an attempt to control him, as well as being subjected to daily examinations and extraordinary treatments by non-traditional physicians (See Exhibit C); all these things were being funded by the fraudulent use of Leland's funds by Ms. Altemeier; Leland had several credit cards opened with his financial information and in his name by Ms. Altemeier without his consent; Leland was told that he was signing payment for bills when in reality he was signing wire transfer forms, and money withdrawals for Altemeier; Leland went without contact with his friends and family for four weeks. On 9/13/06, Family members contacted the Fruitport Police Department to file a missing person report (See Exhibit D); while in the custody of Ms. Altemeier, she was very controlling, including taking away all of his clothes except for the clothes he wore when he was taken from Michigan; To get Leland to cooperate with Altemeier's wishes and requests, Leland was falsely told by Altemeier, throughout the four weeks of his captivity, that if the police found them, Leland would be put in a home and that all his money would be taken from him.

3. In contact with local authorities, I learned that Altemeier, Alan, and Leland were moving from hotel to hotel checking in under false names, and when authorities finally caught up to Leland he indicated that he was unaware of a lot of the events that had transpired over the last four weeks. (See Exhibit E)
4. From my initial review of the accounting documents of Leland's accounts, Leland had approximately \$100,000 taken from his personal assets during the four weeks he was held against his will by Ms. Altemeier. The credit

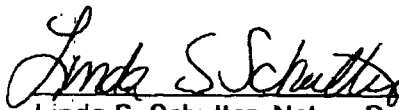
cards in Leland's name were used without his consent to accrue approximately \$7000 in debt for the benefit of Altemeier, such as putting gas in her vehicle, renting hotel rooms, and purchasing food.

5. I have also discovered through a review of the documentation discovered in this case that Ms. Altemeier was in the process of shopping for a RV that was going to be purchased with Leland' funds without his consent.
6. I firmly believe that if Ms. Altemeier is released she will disappear, knowing that she faces serious felony charges in the State of Michigan. I also believe that she is a danger to the public, especially the vulnerable elderly because she is currently unemployed and, based on my conversation with Leland, will use whatever means necessary to obtain money illegally to meet her own needs.

Further Affiant sayeth not.


Detective James Schultz

Subscribed and sworn to
before me on October 24th, 2006


Linda S. Schutter, Notary Public
Muskegon County, Michigan
My Commission Expires 04/28/08
Acting in Muskegon County, Michigan

Continued

FRUITPORT POLICE DEPARTMENT

2006-004326-I

Incident No 2006-004326-I	Date & Time Rept 09/13/2006 20:01	Offense: 99003 MISSING PERSONS
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S TAKEN FROM WORDPERFECT DOCUMENT 2006004326.013
U INFORMATION:
P
P On 10-16-06 at approximately 1130hrs, I called the Federal Bureau
L of Investigation Field Office in Grand Rapids. I called and spoke
E to Agent William Blynn. I advised Blynn of this case and it's
M circumstances. Blynn advised that their agency is very interested
E in this case and he would contact the U.S District Attorney's
N Office for issuance of a Unlawful Flight to Avoid Prosecution
T (UFAP) warrant on Alan Davis.

At approximately 1300hrs, I got a call back from Agent Blynn. I was advised that the U.S. Attorney's Office will issue the UFAP warrant on Alan Davis. A meeting was scheduled on 10-17-06 at 1300hrs to meet with Agent Blynn and obtain the warrant, and make notification to the field offices in Houston Texas.

FURTHER FOLLOW UP WITH SERVICE ONE FEDERAL CREDIT UNION:

On 10-16-06 at approximately 1500hrs, I called and spoke to the branch manager, Judy Tibault of the Sherman Blvd. location. I advised Tibault that I was following up on my request of the video from their branch in Neosho Missouri. I further had requested information to be faxed to me regarding the wire transfer. I was advised by Tibault that she had tried several times to obtain the video of Leland Davis and Barbara Altimeier coming into that branch. Tibault stated that she was unable to "unscramble" the video footage as they had gone to an updated surveillance video system in Neosho. Tibault stated that she had checked and there was no way to retrieve this video.

At that point, I did request to have the copies of all paperwork regarding the attempted "wire transfer" of the money. Tibault further stated that she did finally receive this information, but it had been placed in file. I asked her to fax this information to me right away. Tibault stated that she would and advised that it was placed to the side as there had been absolutely no transactions on Leland Davis's account since September 16th 2006. Tibault further advised me that this account has been flagged and nobody is to authorize any account movements with out her authorizations first. Tibault did also state to me that she has the accounts flagged in all of their branches including the other one in Mobile Alabama. This banking affiliate was notified that Altimeier was possibly in route to their location to try the same thing. I was further advised that their branch affiliate in Mobile Alabama had contacted their local Mobile Police Department precinct and filed a report with a Captain in their jurisdiction. No attempts had been made at this, or any other locations by anyone since Altimeier was denied the fund transfer on September 15th 2006.

Tibault stated that she will not release any of the funds at this time. Tibault was very helpful and at 1515hrs, I received a

rpt_rev.c 1.41

Date Printed: 10/24/2006

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Continued

FRUITPORT POLICE DEPARTMENT

2006-004326-I

Incident No	Date & Time Rept	Offense: 99003
2006-004326-I	09/13/2006 20:01	MISSING PERSONS

S facimilie transaction from Tibault of the original document that
 U Altemeier tried to turn into the branch in Neosho Missouri.
 P

P REVIEW OF TRANSFER REQUEST:

L
 E On 10-16-06 at 1515hrs, I had an opportunity to review the bank
 M account information listed on the forms that Tibault had submitted.
 E I noted that at the top of the "wire transfer request" there was
 N the Receiving Institutions name. I noted that the form was
 T handwritten and the receiver was a "Bankers Bank of the West."
 Phone number #307-836-2152. Receiving account number to be
 102003743. I noted that the funds were to be received in the name
 of Leland E. Davis. I did further note that there was no signatures
 or dollar amounts entered on this form. Since no signatures were
 present on this form, it is unknown who had filled it out.
 According to the branch manager in Neosho, this form was completed
 by Barbara Altemeier. I did note that Altemeier's phone number is
 listed as contact number and then there is a note next to the
 number. It states, "Barbara will give to him." I believe this to
 mean that if the bank was to call this phone number, then she will
 give the phone to Leland Davis. At this point, there is no further
 information to add regarding this transaction.

CONTACT WITH BANKERS BANK OF THE WEST/FIRST STATE BANK:

On 10-16-06 at approximately 1530hrs, I called the Bankers Bank of
 the West. I spoke to a female on the other end and ID myself. I
 asked this female if I could speak to the branch manager. I was
 advised that the branch manager, a Derrick Sisson was out of the
 office. I left my name and phone numbers for Sisson to contact me
 back about the account information located on the "wire transfer
 request." I was attempting to get a location of their bank and the
 owner of the account number 102003743 where the money was supposed
 to be transferred to from the bank in Neosho Missouri. The female
 clerk did advise me that this branch is located in the state of
 Wyoming, but would not advise any further. This female referred me
 to Sisson. I asked to have Sisson call me back as soon as possible.

DISPOSITION:

Investigation continues:

Det. James Schultz

FROM

09/18/2006 03:37 4174515304

(MON) OCT 16 2006 14:45/01.14:44/No. 6826608209 P 2

SERVICE 1

PAGE 01

ATTN: Judy

for information

Purposes ONLY

WIRE TRANSFER REQUEST

DO NOT Wire any funds

Amount of wire: _____

Receiving Financial Institution: Bankers Bank of the WestPhone # (if available): 307-836-2152Receiving ABA: 102 003743Beneficiary's Financial Institution (if applicable): First State Bank of WheatlandBeneficiary's Financial Institution Account # (if applicable): 1000950Name of person to wire funds to: Leland E. DavisAccount number: 0301280

Special Instructions: _____

You may identify the "wire funds to" or any financial institution by name and by account number (or ABA routing and branch number). The Credit Union (and other institutions) may rely on the account or other identifying number as the proper identification, even if it identifies a different party or institution. If the wire transfer is cleared through the Federal Reserve, the transaction is governed by Regulation J. You authorize the Credit Union to transfer funds as described herein and debit your account in the amount transferred, plus applicable charges.

Account Owner Signature: _____

Account Number: 718641 Date: 9-15-06Daytime Phone Number: cell 702-241-8617 Barbara will give to him

For Office Use

Received by: meDate/Time: 9-15-06 / 12:25 pm CST

Processed by: _____

Date/Time: _____ Fee Withdrawn: _____

231-865-2173

Debbie
Sisson

Wynn

last date

open account in
disputewithout funds
open

1 then - narrow

- the whole
effect

(No idea)

Received: Mar 11, 2011 11:33:59 AM
Expires: Mar 25, 2011 12:33:59 PM
From: michelles@fsbwy.com
To: <redacted>
Cc:
Subject: Wire Instructions
Attachments: htmlBody.html

WIRE INSTRUCTIONS
INTO FIRST STATE BANK

CORRESPONDENT BANK,
BANKERS BANK OF THE WEST, DENVER
ABA 102003743

CREDIT: FIRST STATE BANK-WHEATLAND
ACCT # 1000950

FINAL CREDIT -CUSTOMER'S NAME AND ACCOUNT

MICHELLE STRUBLE
ASSISTANT VICE PRESIDENT
FIRST STATE BANK-GUERNSEY
PH. 836-2152 FAX 836-2438

This message was secured by ZixCorp(R).

Bankers' bank

From Wikipedia, the free encyclopedia

A **bankers' bank** is a financial institution that provides financial services to community banks in the United States of America. Bankers' banks are owned by investor banks and may provide services only to community banks.

By leveraging positive economies of scale, bankers' banks are able to provide many services to community banks that typically would be economically available only to large national or multinational banks. The advantage here is that community banks which use these services can in turn offer them to their customers, allowing these smaller independent banks to effectively compete with larger banks.

The first bankers' bank was formed in Minnesota in 1975. Currently there are 22 bankers' banks across the US serving more than 6,000 banks in 48 states. The largest bankers' bank is at present TIB-The Independent BankersBank, located in Irving, TX, and serving over 1,400 banks across 46 states - plus Guam and Bermuda.

External links

- Bankers' Bank Council (<http://www.bankersbanks.com/>)
- Silverton Bank (<http://www.silvertonbank.com/>)
- PCBB (<http://www.pcbb.com/>)
- TIB-The Independent BankersBank (<http://www.mybankersbank.com/>)
- The Bankers' Bank of Kentucky (<http://www.bbky.com/>)

Retrieved from "http://en.wikipedia.org/wiki/Bankers%27_bank"

Categories: Banks | Bank stubs

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Call Us: 800-879-9697

Online Banking

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What's New

Tip of the Month

Neosho, MO Branch

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[24 Hour Access](#)

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[Convenience Services](#)

[Financial Education](#)

[Home](#)

Please visit us at:

Service 1 Federal Credit Union Ph: 1-417-451-7588
P.O. Box 96 Fx: 1-417-451-5304
816 W. Harmony Em: jcullers@service1fcu.com
Neosho, MO. 64850

[Click here](#) for branch hours.

YAHOO! Maps [View Map](#)



Security Promise

Our Credit Union will never ask for any personal credit card or financial information via email. We do not share our internal email lists with anyone, and have security in place to ensure that our internal databases are not being accessed.

Routing Number

Service 1 Federal Credit Union's routing number is: 272483264

Tax Information:

[1099-INT Instructions](#)

We NOW Have Discount Movie Tickets!

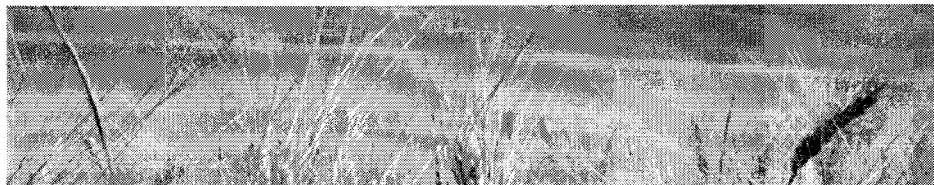
Tickets are now available to B & B Movie Theater in Neosho! Purchase tickets for just \$6.00 each.

Welcome to our Membership

Spring Hill Assisted Living is our newest SEG!

2010 Member Appreciation Cookout

We had a great time at our Member Appreciation cookout in Neosho on April 23rd. Thank you to everyone who came!

[Home](#) | [Contact Us](#)**Online Banking**[E-Statements](#)[Banking Products](#)[Loans & Mortgages](#)[IDSafeChoice](#)[Investment Centers](#)[Financial Calculators](#)[About Us](#)[Community Resources](#)[First Kids](#)

First State Bank offers more complete access to your account. Wherever you are, whenever you need it.

[Online Banking Login](#) **Lost or Stolen Debit Card?**

[Contact Us](#) or call
1-888-833-3455.



[Email us](#) with general questions or comments.

Emailing private information? Use our [Secure Email Center](#).

Announcements

We are updating our bill pay communication. You may have received an email from support@billpayemail.com recently. This is a legitimate email and the address should be added to your safe sender list to continue to receive updates from them.

Locations & Hours**Wheatland:**

1405 Sixteenth Street
P.O. Box 39
Wheatland, WY 82201
Tel: 307-322-5222
Fax: 307-322-4024

Banking Hours:

Lobby:
9:00 A.M. - 5:00 P.M.
Monday - Friday

Drive-Up:

8:00 A.M. - 5:00 P.M.
Monday - Thursday
8:00 A.M. - 6:00 P.M. Friday

Guernsey

250 W. Whalen
P.O. Box 879
Guernsey, WY 82214
Tel: 307-836-2152
Fax: 307-836-2438

Banking Hours:

Lobby:
9:00 A.M. - 5:00 P.M.
Monday - Friday

Drive-Up:

8:00 A.M. - 5:00 P.M.
Monday - Thursday
8:00 A.M. - 5:00 P.M. Friday

Torrington:

1410 E. Valley Hwy 26
P.O. Box 1098
Torrington, WY 82240
Tel: 307-532-5600
Fax: 307-532-5603

Banking Hours:

Lobby:
9:00 A.M. - 4:30 P.M.
Monday - Friday

Drive-Up:

7:30 A.M. - 4:30 P.M.
Monday - Thursday
7:30 A.M. - 6:00 P.M. Friday

The following locations have No Fee ATM Machine for First State Bank customers:

I-25 Pit Stop

1857 W. Mariposa
Wheatland, WY

First State Bank

1410 E. Valley Hwy 26
Torrington, WY

Safeway

16th & Oak
Wheatland, WY

First State Bank

1405 16th Street
Wheatland, WY

Safeway

469 Cole Shopping Center
Cheyenne, WY

Safeway

554 N. 3rd St
Laramie, WY

Continued

FRUITPORT POLICE DEPARTMENT

2006-004326-I

Incident No 2006-004326-I	Date & Time Rept 09/13/2006 20:01	Offense: 99003 MISSING PERSONS
------------------------------	--------------------------------------	-----------------------------------

S TAKEN FROM WORDPERFECT DOCUMENT 2006004326.016

U INFORMATION:

P

P On 10-16-06 at approximately 1600hrs, I received a call back from
L the bank president Derrick Sisson. Sisson stated that he is the
E branch president of the First State Bank/Bankers Bank of the West.
M Sisson was advised of the complaint the nature of the missing
E person, Leland Davis. Sisson further explained to me that he knows
N Leland Davis and Alan Davis. Sisson advised that he remembers when
T both Leland and Alan Davis came into their branch and opened the
accounts. Sisson did state that there was another woman with them,
allegedly Barbara Altemeier. Sisson said that the accounts were
opened in Mid-August sometime. Funds were wired to their accounts
there from another banks and Sisson stated that Leland advised him
that they were moving to the area and needed the money to settle
down.

Sisson further advised that during the time that they set up the
accounts, Leland and Alan seemed very in "control" and Leland
appeared to be of sound mind and body. Sisson advised that he
didn't suspect anything out of the ordinary and said that Leland
seemed excited about moving the money and moving out to their area.
Sisson said that a wire transfer of money was completed later.

I then attempted to verify the account numbers that were on the
"wire transfer" request from the credit union affiliate of Service
1 Federal Credit Union in Neosho Missouri. I was advised by Sisson
that he didn't recognize any of the these numbers but said that the
routing numbers appear to be very close, only off one or two
digits. In further talking with Sisson, he stated that this was a
very small town and I advised him that I needed them to call their
local police departments if Alan, Leland, or Barbara Altemeier come
into their branch. Sisson stated that he would. I further advised
hi that I have been in contact with their local police department
and someone from their area should be contacting them regarding
this case.

I then asked Sisson if there was any recent account activity on
Leland Davis's account. Sisson said that the accounts were in both
Alan and Leland's names and not Barbara Altemeier. I asked Sisson
if he could give me some history on the accounts. Sisson was very
reluctant to do so but did state that there was only one
transaction so far since the account was opened. There was a
cancelled check on file. I asked him to tell me where this check
was written to or cashed. Sisson would not tell me with out having
contact with local police or a federal subpoena, but did state that
they had received a cancelled check about a week ago. I advised him
that Guernsey Police Department should be in touch with them
shortly. As of this time, I have not heard back from Ofc. Orr or
Sisson. Follow up to be completed.

Investigation Continues.

STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF MUSKEGON

THE PEOPLE OF THE
STATE OF MICHIGAN

FILE NO. **06-81844-FY**

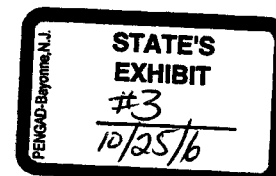
v

BARBARA J. ALTEMEIER
Defendant.

REQUEST TO MAINTAIN BOND AT \$100,000

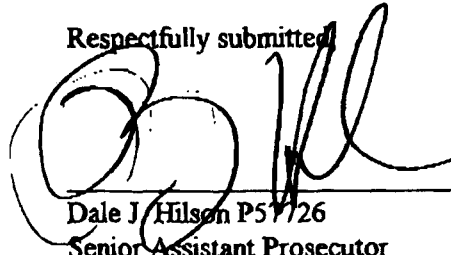
Now comes The People of the State of Michigan, by and through its attorney, Senior Assistant Prosecuting Attorney Dale J. Hilson and states in its Request as follows:

1. The Defendant kidnaped and held Leland Davis against his will for several weeks.
2. During that time period, Leland was subject to verbal and physical abuse at the hands and direction of Defendant, including being subject to unnecessary medication and medical appointments. (See attached affidavit of Det. James Schultz)
3. Leland also had his financial assets exploited and fraudulently used by Defendant, including having accounts, credit cards, power of attorney documents, and wire transfers set up and used against his will, without his authorization and consent. A majority of the assets used for the benefit of Defendant and not for Leland.
4. The Muskegon County Prosecutors Office has charged one count of felony embezzlement and is exploring charges of kidnapping, elderly abuse, and felony larceny against Defendant. Any combination of these charges will carry a sentence to the Michigan Department of Corrections (prison).



5. Given the seriousness of the charges, the high possibility of conviction and the imposition of a prison sentence, the Defendant is a serious flight risk, which would jeopardize the People of the State of Michigan bringing Defendant to justice for Defendant's crimes.

Respectfully submitted



October 24, 2006

Dale J. Hilson P57726
Senior Assistant Prosecutor
Muskegon County Prosecutor's Office
990 Terrace Street
Muskegon, Michigan 49442
(231) 724-6435

C. Muskegon Chronicle newspaper article quoting Muskegon County (3) Prosecutor Tony Tague (6) and Fruitport Township (4) James Schultz (5):

1. Newspaper article, "Son, 56, faces trial in father's fleecing", by Lisa Medendorp, Muskegon Chronicle, November 6, 2006 Muskegon Chronicle, Page 1A, 4A.

Son, 56, faces trial in father's fleecing

Monday, November 06, 2006

By Lisa Medendorp

Muskegon Chronicle Staff Writer

An alleged plot to deprive an 88-year-old Fruitport Township man of hundreds of thousands of dollars has resulted in criminal charges against his son, a former Muskegon man, and the son's girlfriend.

Alan Kane Davis, 56, of Livingston, Texas, was arraigned last week before 60th District Judge Harold F. Closz III on a charge of embezzlement from a vulnerable adult of \$20,000 or more, a 10-year felony.

Bail was set at \$150,000 cash or surety.

Davis was extradited from Texas, and his girlfriend, Barbara Altemeier, 55, remains in Texas fighting extradition, authorities said. She is charged on a warrant with the same offense.

The victim was basically taken on a two month "road trip" by his son and Altemeier and ended up Richardson, Texas, prosecutors said. The elderly man is now back in the Muskegon area.

The convoluted scheme involved a new will, a power of attorney and allegedly transferring funds to various accounts across the country -- all with the aim of spending the victim's money.

At one point, Fruitport Township police believed it was possible the elderly man had been murdered. Blood-soaked clothing was found in a utility trailer on property he owned in Sullivan Township.

As it was, the suspects allegedly "controlled everything from what he ate, to what he wore, to what he did," said Fruitport Township Detective James Schultz.

Schultz said he and Norton Shores Detective Elmer Ogg tracked approximately a quarter-million dollars in funds that had been transferred to several different banking locations.

"We've recovered a large majority of this money from banks in the western states," Schultz said, adding that possible additional charges in the case are pending.

Davis listed himself as unemployed on a court document.

Schultz said Davis and his girlfriend moved in with the victim in early April. A trust originally had been set up with the son in control, but some allegedly inappropriate transfers of money, totaling approximately \$114,000, were noticed by relatives, Schultz said. Davis' duties with the trust were terminated.

In mid-August, Davis and Altemeier took his father on a trip to North Loop, Neb., where the elderly man grew up. But other family members and neighbors became concerned when the victim did not return and they did not hear anything from him.

On Sept. 13, a report was filed with Fruitport Township police. In the meantime, Davis and Altemeier had taken the victim from Nebraska to Battle Creek, where he had relatives, Muskegon County Prosecutor Tony Tague said.

There, the elderly man allegedly was forced to make a new will naming his son as sole beneficiary and giving power of attorney to Altemeier for medical care, Tague said. Davis was also to oversee his father's finances.

The police investigation un-covered "financial irregularities," Schultz said, and a warrant for Davis was issued.

Altemeier headed for Texas with the victim, and his son returned to Muskegon to appear at an unrelated court hearing. Afterward, he was questioned by police, who found him "very evasive," Schultz said, "and he refused to give the exact location of his father." Davis then apparently left for Texas.

"We had no idea where (the victim) was," Schultz said. Police got search warrants for Altemeier's cellular phone records and determined she was in Richardson, Texas.

Authorities also learned that \$90,000 had been transferred from a branch of the victim's bank to a bank in Arizona, Tague said. "The investigation determined they were going to set up accounts across the country so it (the theft) would be more difficult to detect."

The couple intimidated the elderly man, Tague said, and on the way to Texas, Altemeier took him to Neosho, Missouri. He was told the police were after him and if they caught him, he would be put in "an old folks home" and all his money would be taken away, Tague said.

In Texas, Davis and his girlfriend "got credit cards in (the victim's name) and accumulated about \$7,000 in credit card debt, much of it for hotels and food," Tague said.

By then, police were getting some indications that the elderly man was alive. "He was allowed some phone calls and was allowed to talk very briefly to family, but the calls were controlled," Schultz said. "It was as if he was told what to say."

Altemeier also called the elderly man's relatives in Muskegon, asking them to take care of certain business involving his rental property, but she was blocking caller ID and refusing to tell people where they were, police said.

On Oct. 17, Schultz got a call from a Wyoming bank official who said Altemeier was then attempting to do a wire transfer to a drugstore in Dallas. Schultz said detectives from Dallas and Richardson responded to the drugstore, where Davis and Altemeier were arrested. A warrant was then issued for Altemeier.

The elderly man was found in a nearby hotel. "He said he did not want to be in Texas and that he was made to sign paperwork and he didn't know what it was," Schultz said. "He said they had been giving him some sort of medications."

Preliminary examination for Davis has been scheduled for Nov. 15.

D. Letters from Michigan Attorney Chris Yates to Muskegon County Senior Assistant Prosecutor Dale J. Hilson (7):

1. Letter of October 4, 2007 from Chris Yates to Dale J. Hilson (7):
2. Letter from October 15, 2007 Chris Yates to Dale J. Hilson (7):

October 4, 2007

Dale J. Hilson, Esq.
Muskegon County Prosecutor's Office
990 Terrace Street, Fifth Floor
Muskegon, Michigan 49442

Re: *People v. Barbara Jean Altemeier*, 60th Dist. Ct. No.

Dear D.J.:

Thank you for speaking with me recently about the case against Barbara Jean Altemeier. I appreciate your willingness to try to resolve this matter quickly and on reasonably favorable terms. I have spoken with my client about our discussions, and she has asked me to determine whether you are willing to consider dropping all charges, as opposed to requiring her to plead to some criminal charge. I am writing to explain this request in some detail.

First and foremost, I believe Leland Davis did not lose any money as a result of the actions of Ms. Altemeier and his son, Alan Davis. Thus, the basis for a charge of obtaining money from a vulnerable adult no longer exists, and did not exist in the first place. Second, assuming for the sake of argument that there were improper transfers of money that belonged to Leland Davis, the money was not routed to any account in which Ms. Altemeier had any interest or to which she had access. Alan Davis could have obtained money in the joint accounts to which Leland Davis's money was transferred, but Ms. Altemeier never had any control of, or access to, Leland Davis's money. In sum, Ms. Altemeier was never in actual or constructive possession of any money or property belonging to, or obtained from, Leland Davis.

I appreciate your concern that Leland Davis traveled across the country on several trips with Ms. Altemeier, but there is substantial evidence that Leland Davis did so voluntarily. Of course, I do not know what Leland Davis would say about those trips if he were called to testify, but Leland Davis's blood relatives and lifelong friends, who spoke with Leland Davis during those trips, would testify that Leland Davis was acting voluntarily before and during those trips. In addition, there is substantial evidence that Leland Davis was entirely competent throughout those trips, and therefore of sound mind and capable of making decisions for himself.

I understand that you have misgivings about Ms. Altemeier's motives, but there is evidence that Ms. Altemeier took many actions that benefitted Leland Davis both financially and personally. Ms. Altemeier has no interest in ever having any contact with Leland Davis. As you well know, Ms. Altemeier has already spent more than two months in jail in Texas because of the investigation of her involvement with Leland Davis. The rift within Leland Davis's family has been largely resolved, and Leland Davis is now firmly in control of his assets. Ms. Altemeier wants nothing to do with Leland Davis, so there is no chance that Leland Davis faces any financial peril from Ms. Altemeier.

I know it may seem illogical to walk away from the prosecution of Ms. Altemeier after Alan Davis has already pleaded to a crime, but Ms. Altemeier was never the person with access to Leland Davis's money and she does not constitute a threat to Leland Davis. Therefore, I ask you to end the prosecution of Ms. Altemeier. I encourage you to call me at your convenience to discuss the various reasons that I believe dismissal is appropriate.

Sincerely,

Christopher P. Yates

October 15, 2007

Dale J. Hilson, Esq.
Muskegon County Prosecutor's Office
990 Terrace Street, Fifth Floor
Muskegon, Michigan 49442

Re: *People v. Barbara Jeanne Altemeier*, 60th Dist. Ct. No. 06-081844-FY

Dear D.J.:

Thank you for speaking with me recently about the case against Barbara Jeanne Altemeier. I appreciate your willingness to try to resolve this matter quickly and on reasonably favorable terms. I have spoken with my client about our discussions, and she has asked me to determine whether you are willing to consider dropping all charges, as opposed to requiring her to plead to some criminal charge. I am writing to explain this request in some detail.

Ms. Altemeier is charged with embezzlement from a vulnerable adult, MCL 750.174a(5)(a). First and foremost, I believe Leland Davis did not lose any money as a result of the actions of Ms. Altemeier. Indeed, Leland Davis confirmed under oath at Alan Davis's plea hearing that he has not lost any money. Thus, there is no basis for a charge of obtaining money from a vulnerable adult by embezzlement. Second, assuming for the sake of argument that there were improper transfers of money that belonged to Leland Davis, the money was never routed to any account in which Ms. Altemeier had any interest or control or to which she had access. In sum, Ms. Altemeier was never in actual or constructive possession of any money or property belonging to, or obtained from, Leland Davis.

I appreciate your concern that Leland Davis traveled across the country on several trips with Ms. Altemeier, but there is substantial evidence that Leland Davis did so voluntarily. Of course, I do not know what Leland Davis would say about those trips if he were called to testify, but Leland Davis's blood relatives and lifelong friends, who spoke with Leland Davis during the trips and some with whom he stayed during the trips, would testify that Leland Davis was acting voluntarily before and on the trips. In addition, there is substantial evidence that Leland Davis was entirely competent throughout those trips, and therefore of sound mind and capable of making decisions for himself.

I understand that you have misgivings about Ms. Altemeier's motives, but there is evidence that Ms. Altemeier took many actions that benefitted Leland Davis. The rift within Leland Davis's family has been largely resolved. As you well know, Ms. Altemeier has already spent more than two months in jail in Texas because of the investigation of her involvement with Leland Davis. Ms. Altemeier has no interest in having any further contact with Leland Davis, so there is no chance that Leland Davis faces any financial peril from Ms. Altemeier.

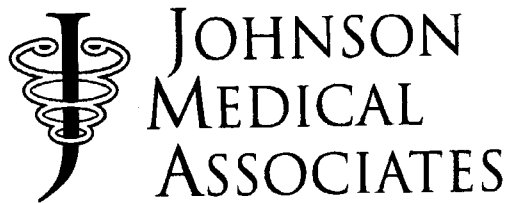
I know it may seem illogical to walk away from the prosecution of Ms. Altemeier after Alan Davis has already pleaded to a crime, but Ms. Altemeier was never the person with access to Leland Davis's money and she does not constitute a threat to Leland Davis. Therefore, I ask you to end the prosecution of Ms. Altemeier. I encourage you to call me at your convenience to discuss the various reasons that I believe dismissal is appropriate.

Sincerely,

Christopher P. Yates

E. Evidence of Plaintiff's deprivation of food and water in the Dallas County (1) Jail:

1. Letter from Johnson Medical Associates dated October 19, 2006 prescribing bottled water and organic food for Plaintiff.
2. Parkland Health & Hospital System (13) patient EmSTAT EDIS assessment sheet for Barbara J. Altemeier for Thursday, October 19, 2006, pages 2 and 3, showing no food and water for 36 hours
3. Parkland Health & Hospital System(13) / Dallas County (1) Jail Memo from Coleen Eickmeier, Jail Health Director of Nursing dated 10/24/06 Re: SPECIAL Food Arrangements for Barbara Jeanne Altemeier – allowing her family to bring her food.



October 19, 2006

RE: Barbara Altemeier

To Whom It May Concern:

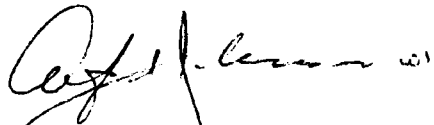
Ms. Altemeier has been a patient of mine for over 15 years. She is chemically sensitive which includes, adverse reactions to preservatives and additives in food and chlorine/VOC's in water. Due to this medical condition she has been eating organic food and drinking bottled purified water over these last 15 years.

IT IS MEDICALLY NECESSARY THAT SHE RECEIVE

- SPARKLETS BOTTLED PURIFIED WATER IN LARGE HARD PLASTIC CONTAINERS ONLY
- ORGANIC FOOD ONLY
- CONTINUOUS OXYGEN DURING TRANSPORTATION IF EXRADITED TO AVOID CHEMICAL ODORS - 4 l/min *ARJ*

If you have any questions regarding this please contact me.

Sincerely Yours,



Alfred R. Johnson, D.O.
ARJ/smm

Parkland Health & Hospital System5201 Harry Hines Blvd.
Dallas, Tx 75235Emergency Services Dept.
214-590-8000
Assessment Sheet

MR # 000004101342

Sex: Female

DOB: 02/01/1951

Name: Altemeir, Barbara

Phone: (214)000-0000

Address: 500 COMMERCE, DALLAS, TX 75208

Room #: Red 15

Account # 000309211011 Age: 55

ER Visit

02:36 10/19/2006 - Change Room - Mary Jackson, RN 21429

Change Room: Triage

02:44 10/19/2006 - Initial Triage Info - Mary Jackson, RN 21429

Treatments PTA: * None

Chief Complaint: Dehydration

Advanced Directives: None

Initial Triage Acuity: 4 - Semi-Urgent

Note: Pt brought to esd via county police for dehydration. per note pt has not had food or fluids for 36 hrs...pt states is allergic to all foods except organic and is allergic to chemical and compounds in water. states can only drink the brand name water of Sparklett...pt denies psych hx...does state has an autonomic nervous system disorder...reason for not being able to walk at this time...but was able to walk when she was at the pharmacy when they arrested her "pt states has abnormally high toxic chemicals in body" can't break them down...pt is tachycardic at triage 128-130 and is hypertensive walked back to west er...

02:47 10/19/2006 - Past Medical History - Mary Jackson, RN 21429

Medical history: Hyperthyroidism, Heart murmur, Asthma

Surgical history: Tonsillectomy

Note: Pt states has thyroid goiter and chemical sensitivity. Pt states menstrual cycle was a couple of months ago and is not able to remember exact date..

02:48 10/19/2006 - Allergy Information - Mary Jackson, RN 21429

Note: Pt voices multiple med allergies...also allergic to plastics...

02:49 10/19/2006 - Vital Signs - Mary Jackson, RN 21429

Temp: 37.2

BP: 165/63, Automatic, Regular cuff

HR: 128

Resp: 16

02:49 10/19/2006 - Change Room - Mary Jackson, RN 21429

Change Room: Red Walkback

02:49 10/19/2006 - Pain - Mary Jackson, RN 21429

Pain Severity: 3/10

02:49 10/19/2006 - Oximetry - Mary Jackson, RN 21429

Pulse Oximetry %: 97

Oxygen Therapy: Room Air

02:52 10/19/2006 - Change Room - Russell Genzel, RN CCRN 25005

Change Room: Red 15

02:56 10/19/2006 - Reg Documentation - Eatherlene Leonard 7211

Reasons unable to register: Provider with patient

04:21 10/19/2006 - Reg Documentation - Paulika Gallegos 15387

Consent Forms Signed: Yes

Clinic Affiliation: No

04:43 10/19/2006 - Change Physician - Garry Gagnon, MD 52323, 2007

ER Physician: Gagnon, MD 52323, Garry

Resident: Unassigned

Prim. Care Provider: Unassigned

Responsible Physician: Gagnon, MD 52323, Garry

06:31 10/19/2006 - Reassessment - Barbie Lane, RN 24072

Note: Labs drawn and sent. Family members to bedside from out of town brought in "Sparklets bottled water", the only water that pt can drink. Pt refused IV. Pt now has large water bottle at bedside for hydration. Awaiting lab results.

06:51 10/19/2006 - Reassessment - Minerva Alvarez, 20537

Note: pt. refused ekg. she stated she is allergic to many things and she wanted to know what chemicals are used on the adhesive of the ekg tab.

07:19 10/19/2006 - Change Physician - Ava "Pierce, MD, 41039

ER Physician: Gagnon, MD 52323, Garry

Resident: Unassigned

Prim. Care Provider: "Pierce, MD, 41039, Ava

Responsible Physician: Gagnon, MD 52323, Garry

08:06 10/19/2006 - Reassessment - Sara Castillo, RN 25011

Note: pt. seen purposefully and forcefully dry heaving into a emesis basin. pt. states she is nauseus after drinking her water.

08:11 10/19/2006 - Vital Signs - Ashley Farnsworth, RN 25006

Temp: 37.3

BP: 146/61, Automatic, Lying, Regular cuff

HR: 137

Resp: 18

08:11 10/19/2006 - Pain - Ashley Farnsworth, RN 25006

Pain Severity: 5/10

08:11 10/19/2006 - Oximetry - Ashley Farnsworth, RN 25006

Pulse Oximetry %: 95

Oxygen Therapy: Room Air

08:14 10/19/2006 - Reassessment - Ashley Farnsworth, RN 25006

Note: pt lying flat in bed awake and verbal. oriented x 3 appropriately. pt appears in nad. pt noted to be tachycardic at this time. pt has refused iv fluids previously. pt with 2 gallon jug of water at bedside, encouraged to drink fluids for rehydration. remaining vss. pt remains in police custody. awaits lab results.

08:40 10/19/2006 - Change Physician - Charles Todd, MD 52334, 2007

ER Physician: Todd, MD 52334, Charles

Resident: Unassigned

Prim. Care Provider: "Pierce, MD, 41039, Ava

Responsible Physician: Todd, MD 52334, Charles

12:03 10/19/2006 - Vital Signs - Shannon Murphy, RN 26607

Temp: 36.6

BP: 145/67, Automatic, Regular cuff

HR: 127

Resp: 20

12:03 10/19/2006 - Pain - Shannon Murphy, RN 26607

Pain Severity: 0/10 - none

12:03 10/19/2006 - Oximetry - Shannon Murphy, RN 26607

Pulse Oximetry %: 99

Oxygen Therapy: Room Air

12:06 10/19/2006 - Reassessment - Shannon Murphy, RN 26607

Note: pt found to be sitting up in bed, coughing up copious amounts of green mucous into a plastic container. when asked if she would drink more water pt stated "i can't do it by myself, i'm allergic to plastic". when asked if the pt would drink out of small strifoam cups pt stated "hell no, i am allergic, really allergic to strifoam, when they did that scan they found so much strifoam in my blood that i cannot have any more!" pt vss. still noted to be tachycardic, encouraged to drink more fluids. pt voiced understanding of medical condition and the need to drink more water. still refusing IV treatment.

15:34 10/19/2006 - EKG Complete - Cissy Kuruvilla, 16676

EKG Given To: Todd, MD 52334, Charles

15:52 10/19/2006 - Medication Administered - Andrea Smith, RN, 9267

Medication: Propranolol

Dose: 20

Units: mg

Route: PO

15:56 10/19/2006 - Vital Signs - Ashley Farnsworth, RN 25006

Temp: 36.8

BP: 166/57, Automatic, Regular cuff

HR: 128

Resp: 19

15:56 10/19/2006 - Oximetry - Ashley Farnsworth, RN 25006

Pulse Oximetry %: 99

Oxygen Therapy: Room Air

15:56 10/19/2006 - Pain - Ashley Farnsworth, RN 25006

Pain Severity: 0/10 - none

17:34 10/19/2006 - Medication Administered - Shannon Murphy, RN 26607

Dose: 100

Units: mg

Route: PO

Note: PTU- for hyperthyroid, ordered 600 mg, given 100mg, see nurse notes

17:35 10/19/2006 - Vital Signs - Shannon Murphy, RN 26607

BP: , Automatic, Regular cuff

HR: 132

17:35 10/19/2006 - Pain - Shannon Murphy, RN 26607

Pain Severity: 0/10 - none

17:40 10/19/2006 - Reassessment - Shannon Murphy, RN 26607

Note: pt laying in bed with basin containing 8oz vomit. pt claims "i had a reaction to that medicine my doctor gave me, i am very sensitive to medications, so i don't think i can take anymore" pt needed to be medicated per dr order for hyperthyroid, was explained this. pt took 100mg then stated "i am having a reaction, see i am having a reaction, i cannot open my eyes, i cannot open my eyes, see my eyes are closing, and now i cannot open them." pt is in no distress, vss, abc intact. dr todd notified. pt was able to drink out of a "sterile"

Parkland Health & Hospital System5201 Harry Hines Blvd.
Dallas, Tx 75235Emergency Services Dept.
214-590-8000
Assessment Sheet

MR # 000004101342

Sex: Female

DOB: 02/01/1951

Name: Altemeir, Barbara

Phone: (214)000-0000

Address: 500 COMMERCE, DALLAS, TX 75208

Room #: Red 15

Account # 000309211011 Age: 55

plastic cup.

20:25 10/19/2006 - Change Nurse - Thomas Tierney, RN 25728

Primary Nurse: Tierney, RN 25728, Thomas

Secondary Nurse: Unassigned

Responsible Nurse: Tierney, RN 25728, Thomas

20:25 10/19/2006 - Vital Signs - Thomas Tierney, RN 25728

BP: 150/54, Automatic, Regular cuff

HR: 116

Resp: 16

20:25 10/19/2006 - Pain - Thomas Tierney, RN 25728

Pain Severity: 5/10

20:25 10/19/2006 - Oximetry - Thomas Tierney, RN 25728

Pulse Oximetry %: 98

Oxygen Therapy: Room Air

20:27 10/19/2006 - Reassessment - Thomas Tierney, RN 25728

Note: Pt lying in bed, AOX3, NAD, tachycardic. Reports no PO intake since Sun. until some water today. Psych MD with patient for assessment.

20:29 10/19/2006 - Change Physician - Andy Kahn, MD 52333, 2007

ER Physician: Kahn, MD 52333, Andy

Resident: Unassigned

Prim. Care Provider: Pierce, MD, 41039, Ava

Responsible Physician: Kahn, MD 52333, Andy

21:15 10/19/2006 - Attending Note - Charles Todd, MD 52334, 2007

Note: This is not an attending note. This is a resident note. After thorough discussion with pt, patient's sister and psychiatry, the pt has decided that she does not want treatment for hyperthyroidism even though the risk of no treatment can be cardiovascular collapse. She states that the only water she can have is Sparkettes but not sterile water nor is she willing to take an iv. Endocrine was called as indicated in the chart and the pt was to be put on propranolol until the heart rate and symptoms are under control. The pt refused the iv and oral medicines knowing the consequences.

21:30 10/19/2006 - Discharge Diagnosis - Charles Todd, MD 52334, 2007

Primary: Hyperthyroidism

Secondary: Tachycardia

21:41 10/19/2006 - Discharge Note - Charles Todd, MD 52334, 2007

Note: You have tachycardia and fluid depletion from your hyperthyroidism. This is incredibly dangerous and we attempted to treat this in the ER and admit you but you have refused our treatment on account of your "chemical sensitivity". You have refused all intake other than Sparkettes water. You have denied any intravenous treatment also. At some point in the near future you will have cardiovascular collapse and die if immediate treatment isn't given. We have attempted full treatment here. Please follow up with endocrinology if you desire here in 6 weeks.

21:44 10/19/2006 - Ref/App - Charles Todd, MD 52334, 2007

Appointment with: Endocrine Clinic

Phone: 214-590-5603

Schedule: Next Available Appt

Consult Resident: Todd, MD 52334, Charles

Rationale for Visit: hyperthyroidism refused medical care

21:47 10/19/2006 - Discharge Note - Charles Todd, MD 52334, 2007

Note: You have tachycardia and fluid depletion from your hyperthyroidism. This is incredibly dangerous and we attempted to treat this in the ER and admit you but you have refused our treatment on account of your "chemical sensitivity". You have refused all intake other than Sparkettes water. You have denied any intravenous treatment also. At some point in the near future you will have cardiovascular collapse and die if immediate treatment isn't given. We have attempted full treatment here. Please follow up with endocrinology if you desire here in 6 weeks.

22:20 10/19/2006 - Discharge Condition - Thomas Tierney, RN 25728

Originally entered 22:21 10/19/2006

Acuity: 4 - Semi-Urgent

Condition: Unchanged

Mobility at Discharge: Ambulatory

Patient Teaching: Written dx instructions reviewed w/ pt, Educated patient on pain management, Follow-up plan of care reviewed w/ pt

Mode of Discharge: Police

22:21 10/19/2006 - Stand Alone Charges - Thomas Tierney, RN 25728

Treatment Area: West

Non-Trauma: Charge Level V

22:21 10/19/2006 - Medicine - Thomas Tierney, RN 25728

Originally entered 22:21 10/19/2006

Medication: **See MD documentation

Please post!

**Parkland Health &
Hospital System /
Dallas county Jail
Health**

Memo

From: Colleen Eickmeier *(CME)*
Jail Health Director Of Nursing

Date: 10/24/06

Re: SPECIAL Food Arrangements

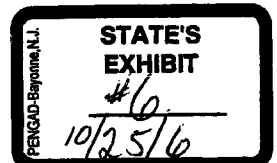
Arrangements have been made to allow the family member for Barbara Altemeier #06085892, located in NT, to bring in food that has been commercially SEALED. This has been cleared through the Chain of Command for DSO.

Here is the process:

- Family member to bring food to NT and present to NT Building Control Center
- NT Building Control will forward the food to the Nurses station on 5th floor NT
- Nursing staff are to label with Ms. Altemeier's name, and date the food
- Food is to be stored in appropriate fridge in the Nurses station
- Ms. Altemeier is to be brought to the Nurses station to eat
- Food will be prepared in the Nurses station
- Because Ms. Altemeier will require an Officer escort, please inform Inmate and Officer that you can allow 20 minutes (apart from food prep) for meal consumption
- Ms. Altemeier will be observed/monitored while eating
- Nurse shall document in EMR what was eaten, and quantity
- Food is not to be released to Ms. Altemeier to take back to her cell
- Nursing shall ensure that Ms. Altemeier eats this evening (if food delivered), then after midnight tonight, begin serving breakfast and lunch as close to the schedule for Jail feeding as possible.

Thank you for your co-operation in this combined effort with DSO, to promote quality care in a challenging environment.

10/24/06
Colleen Eickmeier RN, Director of Nursing
Dallas County Jail Health Services
Parkland Health & Hospital System
Phone: (214) 653 - 2621
Pager: (214) 786- 3646
Fax: (972) 739 - 3924
ceickm@parknet.pmh.org



F. Evidence related to Plaintiff's incarceration in the Dallas County (1) Jail demonstrating that Plaintiff was held beyond the date Ordered:

1. Waiver of Extradition form for Altemeier, Barbara from Texas to Michigan, signed by Dallas County Judge on December 20, 2006.
2. Transcript of Hearing of December 20, 2006 on the extradition of Barbara Altemeier, page 5.
3. Dallas County Sheriff's Office memorandum stating to Altemeier, Barbara "the time you spent in the Dallas County (1) Jail", signed by K. Glaze, Record/ID Clerk, Dallas County (1) Sheriff's Department.



WAIVER OF EXTRADITION

STATE OF TEXAS 0
COUNTY OF DALLAS 0

I, ALTEMEIER, BARBARA, AFTER BEING FULLY INFORMED BY
J. BOYD PATTERSON, JUDGE OF THE 282nd CRIMINAL DIST COURT
OF DALLAS COUNTY, TEXAS, OF THE DEMAND FOR MY SURRENDER TO ANSWER TO A
CRIME WITH WHICH I AM CHARGED IN THE STATE OF MICHIGAN,
HEREBY IN THE PRESENCE OF SAID JUDGE, WAIVE THE ISSUANCE AND SERVICE
OF A GOVERNOR'S WARRANT OF ARREST AND ANY OTHER PROCEDURE INCIDENTAL TO
EXTRADITION PROCEEDINGS, AND CONSENT TO RETURN VOLUNTARILY AND WITHOUT
FORMALITY WITH ANY OFFICER FROM THE STATE OF MICHIGAN.

WITNESS MY HAND, THIS THE 20th DAY OF DECEMBER, 2006.

Barbara Altemeier
BARBARA ALTEMEIER

ORDER

STATE OF TEXAS 0
COUNTY OF DALLAS 0

I CERTIFY THAT I HAVE EXAMINED THE FOREGOING WAIVER EXECUTED BY
S/SGT REED, WHO APPEARED BEFORE ME, AND DIRECT LUPA VALDEZ
SHERIFF OF DALLAS COUNTY, TEXAS TO DELIVER THE SAID ALTEMEIER, BARBARA,
WITHIN TEN (10) DAYS FROM THIS DAY, TO ANY OFFICER FROM THE STATE OF
MICHIGAN.

WITNESS MY HAND, THIS THE 20th DAY OF DECEMBER, 2006.

Judge
JUDGE

DALLAS COUNTY, DALLAS, TEXAS

1 New Years with all the travelling because it's just a commuter
2 jet that comes -- flies into Muskegon --

3 THE COURT: -- The TERMS OF THE WAIVER OF EX-
4 TRADITION FORM, which you execute, I will sign also, provide
5 that the STATE OF MICHIGAN has ten (10) days from the date of
6 execution of this document to either have extradited you or if
7 they fail to do so, then I will ORDER you released from custody,
8 so do you wish to execute the document under those circum-
9 stances?

10 Ten days from today being the 30th of December (2006).

11 THE APPLICANT ALTEMEIER: Today's the 30th?

12 THE COURT: No.

13 Ten -- ten days from today will BE the 30th of December.

14 THE DEFENDANT ALTEMEIER: Oh!

15 THE COURT: What I'm saying is that ten days
16 from today, you will actually be in Michigan OR released --
17 ten days from today -- you will be released from the Dallas
18 County Jail, one way or the other.

19 Either they pick you up and take you to Michigan or they
20 haven't and I ORDER you released from custody; so do you
21 want to sign the waiver?

22 THE APPLICANT ALTEMEIER: I guess so.

23 THE COURT: Very well!

24 Then, Mr. Blocker, do you have anything for the record?

25 MR. BLOCKER: No, Your Honor.



Lupe Valdez, Sheriff
FRANK CROWLEY COURTS BUILDING
133 NORTH INDUSTRIAL BOULEVARD
DALLAS, TEXAS 75207-4313

June 10, 2009

Dear Mr./ Mrs. ALTEMEIER, BARBARA

You have requested that this department provide you with documentation concerning the time you spent in the Dallas County Jail.

The records of the Dallas County Sheriffs Department reflect that ALTEMEIER, BARBARA

with the date of birth of 2/1/1951 a white / female was in the Dallas County Jail on the following dates:

Booked into jail on 10/17/2006 and released from jail on 1/2/2007

Booked into jail on / and released from jail on /

Booked into jail on / and released from jail on /

Booked into jail on / and released from jail on /

Booked into jail on / and released from jail on /

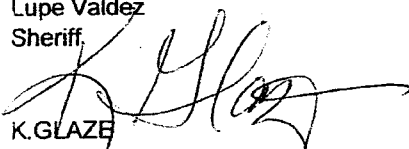
Booked into jail on / and released from jail on /

Booked into jail on / and released from jail on /

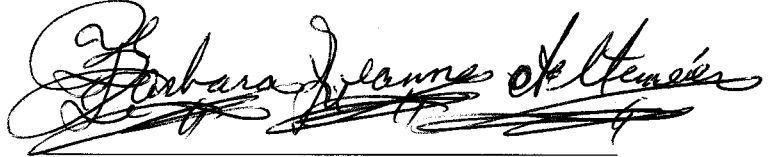
Booked into jail on / and released from jail on /

Should you need to have this information verified, please call the Sheriff's Department Identification Section at 214-653-2678.

Sincerely,
Lupe Valdez
Sheriff


K. GLAZE
RECORD / ID CLERK
Dallas County Sheriff's Department

Respectively submitted,

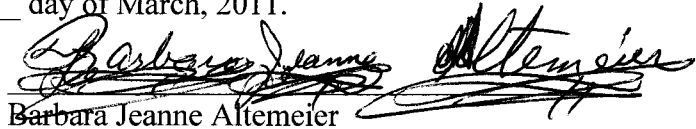


Barbara Jeanne Altemeier, Pro Se
13861 Yockey Street
Garden Grove, California 92844
(714) 379-9557

VERIFICATION

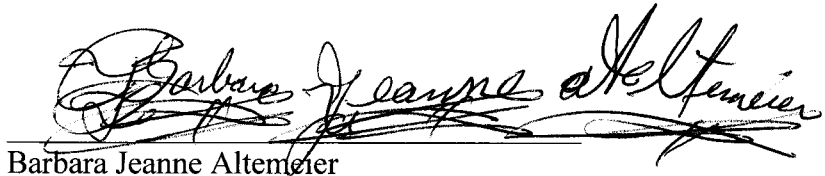
IT IS HEREBY Verified that under the penalties of perjury that the foregoing Appendix to Plaintiff's Responses to Defendants Motions to Dismiss Pursuant to F.R.C.P. 12(b)6 is true and correct to the best of my knowledge and belief.

Witness my hand and seal this 11 day of March, 2011.


Barbara Jeanne Altemeier

CERTIFICATE OF SERVICE

IT IS HEREBY Certified that a copy of the aforementioned Appendix to Plaintiff's Responses to Defendants Motions to Dismiss Pursuant to F.R.C.P. 12(b)6 was sent by First Class Mail on the 11 day of March, 2011 to the Defendants below.


Barbara Jeanne Altemeier

G. Gus Morris
McGraw Morris P.C.
2075 W. Big Beaver Road
Troy, Michigan 48084

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Cummings McClorey Davis & Acho PLC
33900 Schoolcraft
Livonia, MI 48150

Winston L Borum
Borum & Hancock
2485 Burnett Plaza
801 Cherry St Unit 14
Fort Worth, TX 76102

J G Schuette
James Carroll Butt
Dallas City Attorney's Office
1500 Marilla Street
7th Floor
Dallas, TX 75201

Tammy Jean Ardolf
Dallas County Criminal District Attorney's Office - Fed
133 N Industrial Blvd
LB 19
Dallas, TX 75207